

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC., a Delaware corporation,  
Plaintiff,

v.

JOSHUA FISHER, JACOB W. MAHURON  
A/K/A "PRAGMATIC TAX," MATTHEW  
ABBOTT A/K/A "NOVA," DAVID  
HASTINGS A/K/A "J3STER," TRAVERS  
RUTTEN A/K/A "TRAVERS7134," JESSE  
WATSON A/K/A "JESSEWATSON3944,"  
JOHN DOE NO. 1 A/K/A "CALC," JOHN  
DOE NO. 2 A/K/A "CYPHER," JOHN  
DOE NO. 3 A/K/A "KHALEESI," JOHN  
DOE NO. 4 A/K/A "GOD," JOHN DOE  
NO. 5 A/K/A "C52YOU," JOHN DOE NO.  
6 A/K/A "LELABOWERS74," JOHN DOE  
NO. 7 A/K/A "FRAMEWORK," JOHN  
DOE NO. 8 A/K/A "SEQUEL," JOHN DOE  
NO. 9 A/K/A "INVITUS," JOHN DOE NO.  
10 A/K/A "SINISTER," AND JOHN DOES  
NO. 11-50,  
Defendants.

Case No. 2:23-cv-01143-MLP

DECLARATION OF KATHRYN TEWSON  
IN SUPPORT OF PLAINTIFF'S MOTION  
FOR EXPEDITED DISCOVERY TO  
CONFIRM DEFENDANTS' IDENTITIES  
AND LOCATIONS AND FOR AN  
EXTENSION OF THE RULE 4(m)  
SERVICE DEADLINE

NOTE ON MOTION CALENDAR:  
November 17, 2023

I, Kathryn Tewson, declare and state as follows:

1. I am a paralegal and investigator for Kamerman, Uncyk, Soniker and Klein. I am  
over 18 years old and make this declaration based on my personal knowledge of the facts relayed  
herein, and could and would testify competently to the facts set forth herein if called to do so.

2. I was assigned to the investigation into the Ring-1 Enterprise and its conduct as

DECLARATION OF KATHRYN TEWSON  
(Case No. 2:23-cv-01143-MLP) – 1

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1 part of my regular work duties for the firm.

2 3. At the request of Plaintiff Bungie, Inc, I reviewed the website Ring-1.io, publicly  
3 available records related to the Ring-1.io domain name, and the online profiles of the Operator  
4 Defendants.<sup>1</sup> I also reviewed the websites whysp.org, whysp.sellix.io, toirplus.com, ring-  
5 1.selly.store, rev1ve.cc, 1vituscheats.com, and shopping1vitus.com, as well publicly available  
6 records related to these domain names and the online profiles of the Reseller Defendants.

7 4. I also reviewed documents produced in response to subpoenas filed in a previous  
8 action, *Bungie, Inc., et al. v. Andrew Thorpe, et al.*, Case No. 3:21-cv-05677-ECM (N.D. Cal.  
9 2021).

#### 10 **I. DEFENDANTS' EFFORTS TO AVOID DETECTION**

11 5. Defendants structure their business and communications so as to purposefully  
12 conceal their identities and locations. As a result, while that investigation was able to determine  
13 identities and locations of several Defendants sufficient to effect service, others remain elusive.  
14 Further investigation is unlikely to be fruitful without the discovery requested in the Motion.

15 6. The Ring-1.io website (the "Website") does not identify any persons, companies,  
16 or entities associated with the website, nor does it provide any contact information such as a  
17 physical address, email address, or phone number. Users are directed to a Telegram channel and  
18 a live chat service as the only means of support. A true and correct capture from the Website  
19 reflecting this information is attached hereto as **Exhibit 1**.

20 7. The administrators of the Website do not use their real names or provide contact  
21 information such as physical addresses, email addresses, or phone numbers. A true and correct  
22 capture of the account information screen for "calc" reflecting this lack of information is  
23 attached hereto as **Exhibit 2**.

24 8. As reflected in the publicly available WHOIS record for the <Ring-1.io> domain  
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26 <sup>1</sup> Capitalized terms not otherwise defined herein have the meanings ascribed to them in the  
27 accompanying Motion For Expedited Discovery.

1 name, a true and correct copy of which is attached as **Exhibit 3**, Defendants have used a privacy  
2 protection service to hide their names and contact information from the public WHOIS database.  
3 The WHOIS database generally provides the registrant name and contact information for domain  
4 names.

5 9. After the previous action related to Ring-1 was filed, the Discord server that had  
6 been previously used for support was closed down “for privacy reasons.” True and correct  
7 captures of the Website stating that “Discord is gone” and “We shut down the Discord days  
8 ago . . . Discord was closed for privacy reasons” are attached hereto as **Exhibit 4**. In my opinion,  
9 the Operator Defendants deleted their Discord server deliberately in an attempt to avoid  
10 detection.

11 10. Reseller Defendants take similar steps to avoid detection and identification.

12 11. Reseller Invitus conducts business entirely via pseudonymous online accounts  
13 and provides no contact information such as physical addresses, email addresses, or phone  
14 numbers. Invitus also uses privacy protection services to hide their names and contact  
15 information from the public WHOIS database, as reflected in the WHOIS records for their  
16 domains <Invituscheats.com> and <shopringInvitus.com>, attached hereto as **Exhibits 5 and 6**.

17 12. Reseller Rutten also conducts business entirely via pseudonymous online  
18 accounts and provides no contact information such as physical addresses, email addresses, or  
19 phone numbers. He also uses privacy protection services to hide his name and contact  
20 information from the public WHOIS database, as reflected in the WHOIS records for his  
21 domains <whysp.org> and <toirplus.com>, attached hereto as **Exhibits 7 and 8**.

22 13. Reseller Rev1ve conducts business entirely via pseudonymous online accounts  
23 and provides no contact information such as physical addresses, email addresses, or phone  
24 numbers. Invitus also uses privacy protection services to hide their names and contact  
25 information from the public WHOIS database, as reflected in the WHOIS records for their  
26 domain <rev1ve.cc>, attached hereto as **Exhibit 9**.

27 14. Reseller Sinister conducts business entirely via pseudonymous online accounts

1 and provides no contact information such as physical addresses, email addresses, or phone  
2 numbers.

3 15. Without the assistance of more information directly from these platforms  
4 themselves, identifying, locating, and serving these remaining Defendants with process would  
5 necessitate several orders of magnitude further resources, if it can be accomplished at all.

## 6 **II. BUNGIE’S INVESTIGATIVE EFFORTS TO DATE**

### 7 **A. The Ring-1 Website and Operators**

8 16. A subpoena response from the previous registrar for the <ring-1.io> domain,  
9 attached hereto as **Exhibit 10**, revealed that the website was hosted at that time by Nice IT  
10 Services Group, Inc. (“Nice”).

11 17. Webhosts such as Nice typically charge for their services, and require customers  
12 to provide valid account, login, contact and billing information, such as credit card account  
13 numbers, bank account numbers, and/or identifying information from payment processors.

14 18. Nice would therefore likely have such information available for Defendants.

15 19. A response to a previous subpoena to Cloudflare, a true and correct copy of which  
16 is attached hereto as **Exhibit 11**, revealed that the subdomains <pay.ring-1.io> and <api.ring-  
17 1.io> were hosted on IP addresses 157.245.70.110 and 167.71.2.138, respectively.

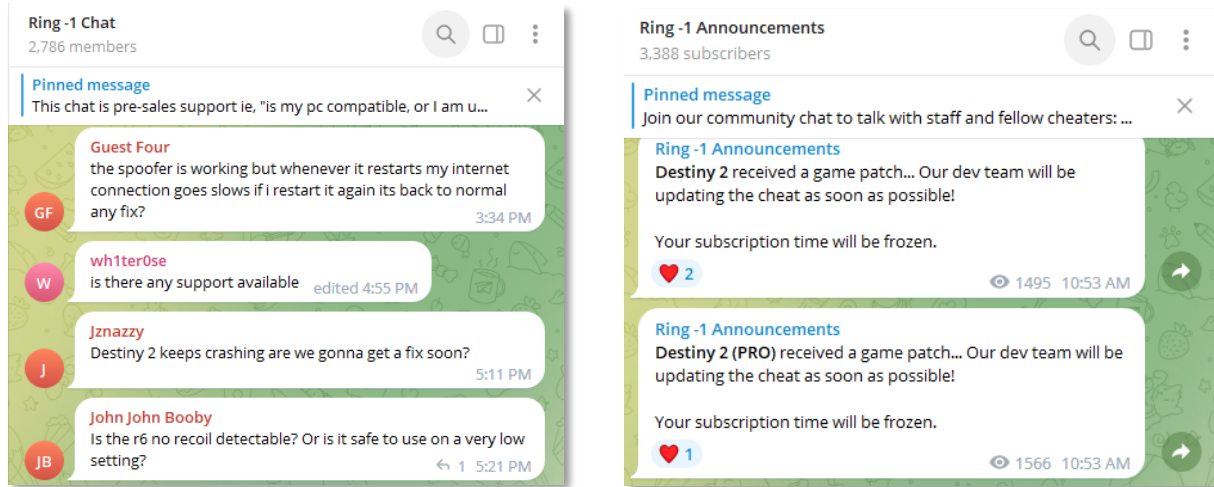
18 20. These IP addresses are both assigned to Digital Ocean, LLC (“Digital Ocean”) as  
19 reflected in the records from the publicly available WHOIS database. True and correct copies of  
20 these records are attached hereto as **Exhibits 12 and 13**.

21 21. Like webhosts, service providers such as Digital Ocean typically charge for their  
22 services and similarly require customers to provide valid account, login, contact and billing  
23 information, such as credit card account numbers, bank account numbers, and/or identifying  
24 information from payment processors.

25 22. Digital Ocean therefore would likely also have this information available for  
26 Defendants.

27 23. In addition, the Ring-1 Enterprise uses two Telegram channels to communicate

with customers. Telegram is a group communications platform. True and correct screenshots showing the nature of these communications are included below.



24. Our investigative efforts have also identified six operators of the Ring-1 Website for whom further discovery is required in order to be able to effect service: David Hastings, and five other operators who go by the pseudonyms “Khaleesi,” “Cypher,” “god,” “C52YOU,” and “Lelabowers74”.

25. A previous subpoena response from Discord revealed that Hastings uses the email addresses y\_3k@gmail.com (the “Y3K Address”) and a Live email address. Email providers often store additional contact information for users, as well as recording login information such as IP addresses. That subpoena response also revealed that Hastings had connected to Discord from the IP address 69.139.20.120, which is assigned to Comcast Cable in Delaware. Internet Service Providers (“ISPs”) such as Comcast typically require payment for their services, and therefore maintain account, billing, login, and contact information for their customers.

26. Additional investigation revealed that an account using the Y3K Address was present in data from a 2022 breach of the criminal commerce website OGUUsers[.]com. Because the email address is the same, I believe this account also belongs to Hastings. That breached data included the IP address that the user logged into OGUUsers from, which was 72.94.18.174. This IP address belongs to Verizon FIOS, also in Delaware.

27. Further investigation yielded the information that Hastings maintains a Twitch

1 account under the name “rickyhozay,” as well as a Streamlabs account under the same name.  
2 Streamlabs is an online livestream and content creation facilitation service. Twitch requires an  
3 email address or phone number to create an account, and frequently maintains much more  
4 customer information, including login, contact, and billing information. Hastings utilized the “tip  
5 jar” function of Streamlabs for his Twitch stream; as a result, Streamlabs will likely have  
6 account, login, contact, and billing information for Hastings.

7 28. My investigation also revealed that Hastings maintains a Twitter account at  
8 @rickyhozay. Twitter maintains account, login, and contact information for customers; in some  
9 cases, it maintains identity verification and billing information.

10 29. A previous subpoena response from Discord revealed that Khaleesi uses the email  
11 address ryanlazarow@gmail.com (the “Lazarow Address”). Email providers often store  
12 additional contact information for users, as well as recording login information such as IP  
13 addresses. That subpoena response also revealed that Khaleesi had connected to Discord from  
14 the IP address 77.99.250.33, which is assigned to Virgin Media in Scotland. Internet Service  
15 Providers (“ISPs”) such as Virgin typically require payment for their services, and therefore  
16 maintain account, billing, login, and contact information for their customers.

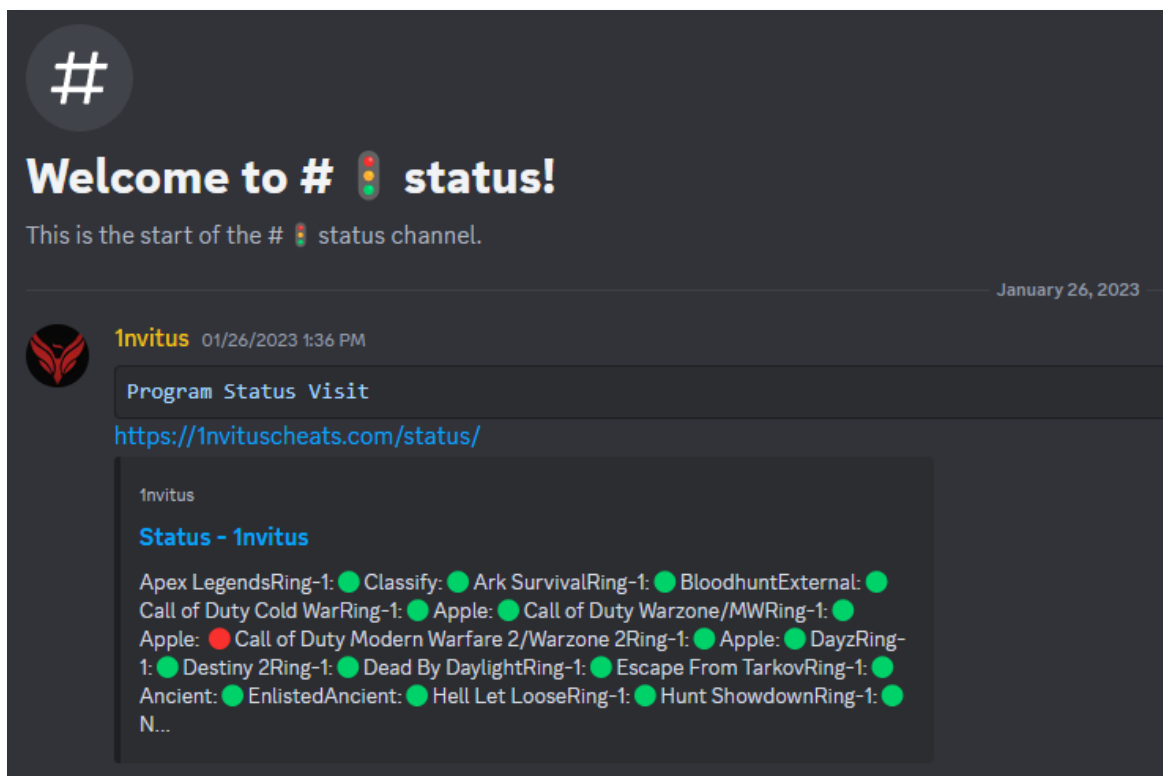
17 30. Additional investigation revealed that an account using the Lazarow Address was  
18 present in data from a 2021 breach of the criminal commerce website OGUUsers[.]com. Because  
19 the email address is the same, I believe this account also belongs to Khaleesi. That breached data  
20 included the IP address that the user logged into OGUUsers from, which was 94.8.61.101. This IP  
21 address belongs to Sky Broadband, also in Scotland.

22 31. My investigation revealed that Cypher has used two different Discord accounts,  
23 and god has used one. Discord requires that users provide an email address and telephone  
24 number to register an account on Discord. Discord also stores users’ login information.

25 32. My investigation also revealed that C52You and LelaBowers74 both use Steam  
26 accounts to play *Destiny 2*. Steam requires an email address in order to create an account, and  
27 likely has payment and transaction information for these accounts.

**B. Ring-1 Resellers**

33. Reseller “Invitus” operates via a Discord server. A true and correct capture of the “status” channel in the 1vitus Discord, showing a “green” (functional) status for “Destiny2Ring-1” is shown below.

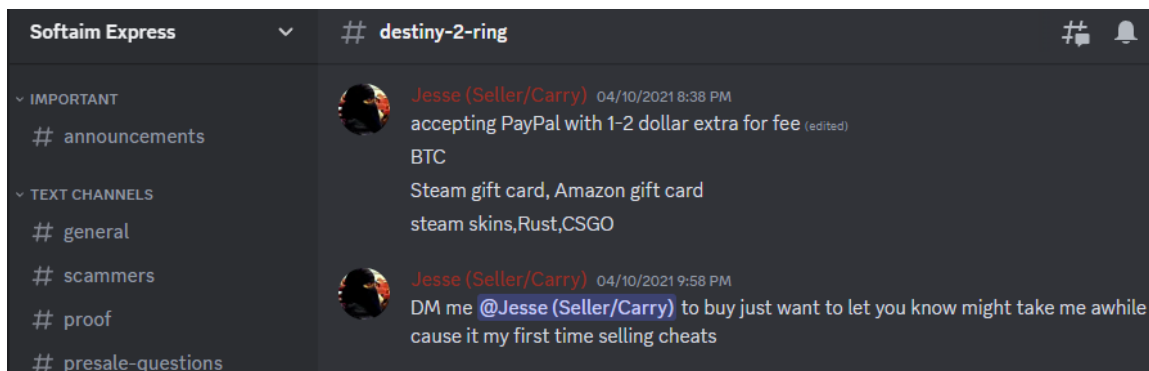


34. Invitus also operates via two websites, 1vituscheats[.]com and shopping1vitus[.]com. True and correct captures of the landing pages of each of these sites are attached hereto as **Exhibits 14** and **15**. The registrar for the <1vituscheats.com> domains is Hostinger, UAB (“Hostinger”). *See Exhibit 5*. The registrar for <shopping1vitus.com> is Key Systems GMBH (“Key Systems”). *See Exhibit 6*. Hostinger and Key Systems are likely to have valid account, login, contact and billing information for Invitus; Discord is likely to have valid account, login, and contact information for Invitus.

35. Reseller Jesse Watson (“Watson”) operates via a Discord server. A true and correct screenshot of Watson’s Discord server, Softaim Express, showing Watson listing payment options (“accepting PayPal with 1-2 dollar extra for fee, BTC, Steam gift card, Amazon



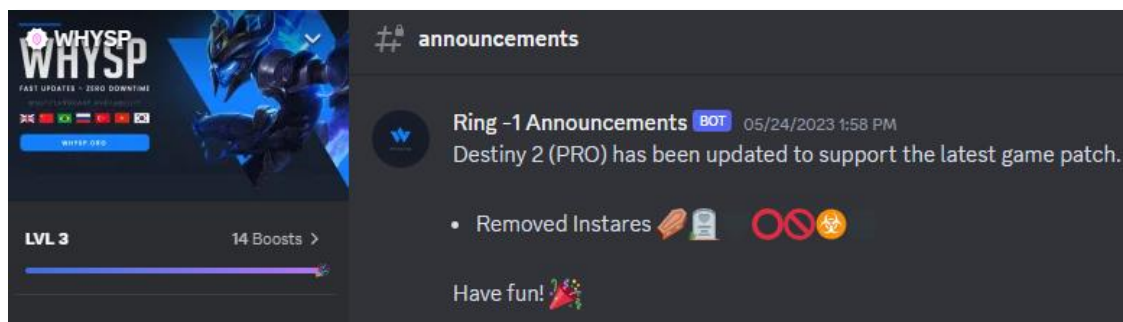
1 gift card, steam skins, Rust, CSGO” and giving instructions for how to purchase the Software  
 2 (“DM me to buy just want to let you know might take me a while cause it [sic] my first time  
 3 selling cheats”) in the “#destiny-2-ring” channel, is shown below.



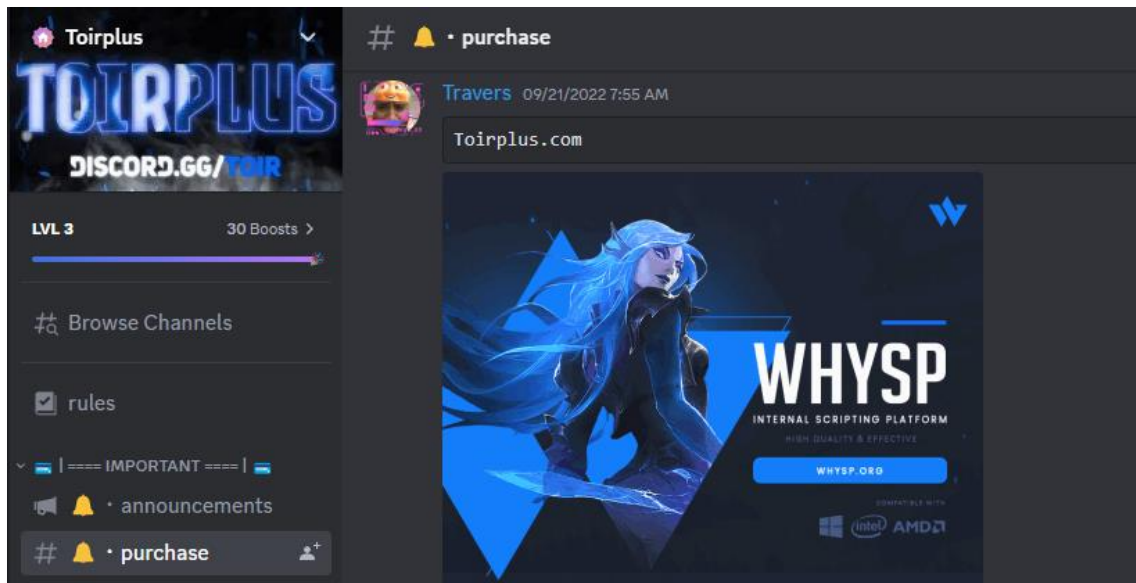
11 36. Watson also operates via a website at shoppy.gg/@moonman1425. A true and  
 12 correct capture of this website showing the Softaim Express logo and advertising cheat software  
 13 for sale is attached hereto as **Exhibit 16**. Shoppy is a fully-hosted ecommerce platform, and is  
 14 likely to have valid account, login, contact, and billing information for Watson.

15 37. Watson also uses a YouTube channel for publicity, under the channel name  
 16 @jessewatson3944. YouTube requires an email address to create an account.

17 38. Reseller Travers Rutten (“Rutten”) operates via two Discord servers, “WhySP”  
 18 and “ToirPlus.” True and correct screenshots of these Discord servers showing information  
 19 related to the Software are shown below.







39. Rutters also operates via three websites: [whysp.org](https://whysp.org), [whysp.sellix.io](https://whysp.sellix.io), and [toirplus.com](https://toirplus.com). True and correct captures of these websites are attached hereto as **Exhibits 17-19**. The registrar for <[whysp.org](https://whysp.org)> is SquareSpace, Inc. (“Squarespace”). *See Exhibit 7*. The registrar for <[toirplus.com](https://toirplus.com)> is GoDaddy, Inc. (“GoDaddy”). *See Exhibit 8*. The domain <[whysp.sellix.io](https://whysp.sellix.io)> is fully hosted at the Sellix e-commerce platform.

40. Rutters also uses a Twitter account at @Travers7134 and a YouTube channel at @Travers7134 for publicity, which require either an email address or a phone number to create an account.

41. Reseller Sinister operates via a Discord server and uses a YouTube channel at @sinistersoftware6001 for publicity. Both Discord and YouTube are likely to have valid login and contact information for Sinister.

Executed this 27th day of October, 2023, at Bothell, Washington.

Kathryn Tewson

**CERTIFICATE OF SERVICE**

I, Dylan M. Schmeyer, hereby certify that on October 27, 2023, I caused a true and correct copy of the foregoing document to be served on the two named Defendants who have been served with the Complaint and Summons via email to the addresses set forth below:

Mark Jordan, counsel for Defendant Abbot: [mjordan@bracepointlaw.com](mailto:mjordan@bracepointlaw.com)

Defendant Mahuron: [mahuron123@live.com](mailto:mahuron123@live.com)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: October 27, 2023

s/Dylan M. Schmeyer  
Dylan M. Schmeyer (admitted PHV)